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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS RANDALL,

Defendant.

CASE NO. 1:21-CR-00129-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: June 15, 2022
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on June 15, 2022.
2. By this stipulation, defendant now moves to continue the status conference until August 17, 2022, and to exclude time between June 15, 2022, and August 17, 2022, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports and related documents, content from cell phones, and other materials. To date, the government has produced more than 2,500 pages of discovery. All of this discovery has been either produced directly to counsel and/or made available for inspection and

1 copying. The government is also processing supplemental discovery which will be delivered to
2 the defense shortly. The government has also made a plea offer to the defendant. The offer will
3 remain open until August 17, 2022.

4 b) Counsel for defendant desires additional time to consult with his client about the
5 current charge(s), review the discovery with the defendant, conduct investigation and research
6 related to the charges, to discuss potential resolution with his client, to prepare pretrial motions,
7 and to otherwise prepare for trial. In addition, counsel has requested assistance from the
8 government in locating certain items within the discovery.

9 c) Counsel for defendant believes that failure to grant the above-requested
10 continuance would deny him/her the reasonable time necessary for effective preparation, taking
11 into account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendant in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of June 15, 2022 to August 17, 2022,
18 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
19 because it results from a continuance granted by the Court at defendant's request on the basis of
20 the Court's finding that the ends of justice served by taking such action outweigh the best interest
21 of the public and the defendant in a speedy trial.

22 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
23 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
24 must commence.

25 IT IS SO STIPULATED.
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1 Dated: June 7, 2022

PHILLIP A. TALBERT
United States Attorney

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3 /s/ MARK J. McKEON
MARK J. McKEON
Assistant United States Attorney

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5 Dated: June 7, 2022

6 /s/ GERALD COBB
GERALD COBB
Counsel for Defendant
MARCUS RANDALL

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9
10 **ORDER**

11 IT IS SO ORDERED.

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14 DATED: 6/8/2022

Sheila K. Oberto

THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE